2005 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

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Implementation of the Treaty on the Non-Proliferation of Nuclear Weapons

Report submitted by Canada

Article I

1. Canada continues to call upon nuclear-weapon States not to assist, encourage, or induce any non-nuclear-weapon State to manufacture or otherwise acquire nuclear weapons or other nuclear explosive devices. In this respect, Canada views reductions by the nuclear-weapon States of their nuclear weapons inventories and the diminishment of the political and military value ascribed to nuclear weapons as key to halting and discouraging further nuclear weapons proliferation. In his address to the United Nations General Assembly on 22 September 2004 the Prime Minister of Canada reaffirmed Canada's long-standing position that non-proliferation and disarmament remain fundamental pillars of the United Nations commitment to international peace and security.

2. The Prime Minister also highlighted Canadian concern about the proliferation of nuclear weapons to non-State actors, and reaffirmed Canada's long-standing commitment to strengthened international efforts to ensure that weapons of mass destruction do not spread to States or terrorists prepared to use them under any circumstances. Canada is an active participant in the Proliferation Security Initiative, which seeks to establish a more effective basis for impeding and stopping shipments of, inter alia, nuclear weapons material and technology flowing illegally to and from States and non-State actors, consistent with national legal authorities and international law. Canada hosts a Proliferation Security Initiative website www.proliferationsecurity.info, and in April 2004, hosted a working group meeting for Proliferation Security Initiative operational experts.

Article II

3. Canada continues to abide by its Treaty on the Non-Proliferation of Nuclear Weapons commitment not to receive the transfer of, receive control over, manufacture or acquire nuclear weapons or a nuclear explosive capability. This

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commitment is implemented domestically through Canada's Nuclear Safety and Control Act of 2000 and corresponding regulations.

4. Canada also calls on other non-nuclear-weapon States not to receive the transfer of, receive control over, acquire or seek to receive any assistance in the manufacture of nuclear weapons or explosive devices. On 22 February 2005, Canada's Prime Minister said to a summit of North Atlantic Treaty Organization (NATO) leaders that Iran must be encouraged to end its nuclear weapons programme. He expressed Canada's hope that the challenge could be addressed through dialogue and diplomacy, but emphasized that we must be prepared to stand behind our words with stronger measures if necessary. In a speech to the Conference on Disarmament delivered on 14 March 2005, Canada's Foreign Minister reaffirmed that Iran's extensive past undeclared nuclear activities, together with its efforts to acquire the full nuclear fuel cycle, have resulted in strong suspicions that Iran has nuclear weapons ambitions. He said that permanent cessation of Iran's uranium enrichment and other proliferation sensitive activities is the only acceptable objective guarantee of the peaceful nature of Iran's nuclear programme.

Article III

5. Pursuant to Article III, Canada has in place a comprehensive safeguards agreement with the International Atomic Energy Agency (IAEA) for the application of safeguards in connection with the Treaty on the Non-Proliferation of Nuclear Weapons. The IAEA has provided annually a positive conclusion concerning the non-diversion of declared nuclear material in Canada pursuant to this agreement. In support of IAEA efforts to strengthen safeguards, Canada concluded a Protocol additional to its safeguards agreement, which entered into force on 8 September 2000. Canada continues to cooperate with the IAEA with regard to the Protocol's implementation. During the last year, efforts have concentrated on: addressing questions and inconsistencies identified by the IAEA; facilitating complementary access under the Protocol; reviewing existing procedures and establishing new procedures with industry and with the Agency to ensure effective implementation of safeguards commitments; updating safeguards equipment at Canadian facilities and preparing for the establishment of remote monitoring capabilities; developing and testing a new approach for transfers of spent fuel to dry storage at multi-unit Canadian deuterium-uranium reactor stations; ensuring that safeguards implementation at our uranium conversion facilities is consistent with the new Agency requirements; and preparing for the transition to integrated safeguards. With respect to the latter, Canada anticipates that the IAEA will soon be in a position to provide credible assurance of the absence of undeclared nuclear material and activities in Canada, a necessary condition for the transition to integrated safeguards. In addition, through the Canadian Safeguards Support Programme Canada contributed to the development of advanced safeguards equipment and techniques aimed at strengthening the effectiveness and efficiency of Agency's safeguards. This effort resulted in a contribution of approximately Can $1.8m over the last year. At the IAEA and at the United Nations General Assembly, Canada has urged States that have yet to bring into force comprehensive safeguards agreements and protocols additional to their safeguards agreements to do so as soon as possible.

6. Consonant with its obligation not to provide source or special fissionable material, or equipment or material especially designed or prepared for the

processing, use or production of special fissionable material to any non-nuclear-weapon State for peaceful purposes unless the source or special fissionable material is subject to IAEA safeguards, and with decision 2, paragraph 12, of the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, Canada will only authorize nuclear cooperation with those non-nuclear-weapon States that have made an internationally legally binding commitment not to acquire nuclear weapons or other nuclear explosive devices, have accepted IAEA safeguards on the full scope of their nuclear activities, and have accepted, through a bilateral nuclear cooperation agreement with Canada, a number of additional measures designed to ensure that nuclear items supplied by Canada do not contribute to the proliferation of nuclear weapons. This policy has been in place since 1976. Canada maintains a national system for controlling the export of all items especially designed or prepared for nuclear use and certain nuclear-related dual-use items, including, with respect to the specific requirements of article III, paragraph 2, of the Treaty, source or special fissionable material and equipment or material especially designed or prepared for the processing, use or production of special fissionable material. Canada's export control legislation includes a catch-all provision. Canada's national system is consistent with the lists of those multilateral nuclear export control mechanisms in which it participates. All these measures serve to facilitate peaceful nuclear commerce and international cooperation without contributing to proliferation.

7. In response to the threat posed to the integrity of the nuclear non-proliferation regime, Canada continues to cooperate actively with other like-minded States in a variety of international forums to develop new measures aimed at further strengthening the regime, particularly with regard to the transfer of sensitive technologies associated with the production of special fissionable material suitable for nuclear weapons purposes, and the suspension of nuclear cooperation in cases of non-compliance with nuclear non-proliferation commitments.

Article IV

8. Canada strongly supports the peaceful uses of nuclear energy. Canada maintains a robust nuclear power programme. It is the world's largest exporter of uranium, and is a world leader in the production of radioisotopes for medical and industrial applications. Canada believes that nuclear energy can make an important contribution to prosperity and sustainable development, while also addressing concerns about climate change, for those countries that choose to use nuclear energy, and to this end has nuclear cooperation agreements in force covering 42 States parties to the Treaty on the Non-Proliferation of Nuclear Weapons, both developed and developing, to provide a framework for the fullest possible exchange of nuclear and other material, equipment and technology. Since the last meeting of the Preparatory Committee, Canada has participated in policy and technical consultations on implementation of nuclear cooperation agreements with seven of its bilateral partners. Canada supports the IAEA Technical Cooperation programme, and for several years has met or exceeded the rate of attainment for voluntary contributions to the IAEA Technical Cooperation Fund.

9. In view of the inherent relationship between States' inalienable rights to the peaceful uses of nuclear energy, and the obligations contained elsewhere in the Treaty, cooperation by Canada with other countries in the peaceful uses of nuclear

energy takes fully into account the non-proliferation credentials of the recipient country. Canada is committed to working with other States and relevant international organizations on new arrangements for the supply of nuclear items, consonant with the balance of rights and obligations agreed to in the Treaty and in particular in articles II, III and IV. In this regard, a Canadian expert participated in the recent IAEA ad hoc experts group studying new multilateral nuclear fuel cycle initiatives.

Article V

10. The Final Document of the 2000 Review Conference affirms that provisions of article V are to be interpreted in the light of the Comprehensive Nuclear-Test-Ban Treaty (CTBT). Canada signed that Treaty on 24 September 1996, when it opened for signature, and deposited its instrument of ratification on 18 December 1998. Canada was the first State signatory to that Treaty to sign a facility agreement with the Preparatory Commission of the Comprehensive Nuclear-Test-Ban Treaty Organization on 19 October 1998. Consistent with Canada's call on all States that have not yet done so to ratify the Comprehensive Nuclear-Test-Ban Treaty, particularly the States listed in Annex 2, Canada's Minister for Foreign Affairs wrote to all his counterparts in non-ratified States in advance of the third Article XIV Conference to Facilitate Entry into Force of the Comprehensive Nuclear-Test-Ban Treaty, held from 3 to 5 September 2003, urging their countries to sign and/or ratify the Treaty. Canada reiterated this message at the Conference.

11. In September 2002 and again in September 2004, Canada's Minister for Foreign Affairs signed a Joint Declaration that reiterated support for the Treaty and called for its early entry into force. In February 2004, Canada agreed to be included on a contact list of countries that will assist the Special Coordinator for Entry into Force in promoting activities at the regional level that promote entry into force of the Treaty. At the fifty-ninth session of the General Assembly, Canada co-sponsored the resolution on the Comprehensive Nuclear-Test-Ban Treaty, which called for the earliest possible entry into force of the Treaty and urged the maintenance of unilateral moratoriums on nuclear weapons test explosions until entry into force is achieved. Canada places a priority on the establishment of the Treaty's verification system and, as such, is a leader among member States in contributing resources, equipment and expertise to the development of the Treaty's International Monitoring System (IMS). Most recently, the radionuclide station in Resolute, Nunavut (RN15), was certified on 22 December 2004. Furthermore, at the August 2004 Noble Gas Workshop in Strassoldo, Italy, Canada played a lead role in building a consensus to continue an experiment to install additional noble gas detection equipment at 40 radionuclide stations and laboratories.

Article VI

12. In a speech to the Conference on Disarmament made on 14 March, Canada's Foreign Minister said that a reaffirmation of the goal of nuclear disarmament and a renewed commitment to achieving this goal should be a key conclusion of the 2005 Review Conference of the Treaty on the Non-Proliferation of Nuclear Weapons. Canada continues to take very seriously the obligation of article VI and the commitments agreed upon in the 1995 Principles and Objectives and in the 13 steps

at the 2000 Review Conference. These have been at the forefront of a number of activities and statements.

Steps 1 and 2

13. Canada's action in support of the Comprehensive Nuclear-Test-Ban Treaty and the moratorium on nuclear testing is described above under article V implementation.

Steps 3 and 4

14. In his speech to the General Assembly, Canada's Prime Minister noted how the United Nations Conference on Disarmament has not been able to agree on a work plan since 1998, and called on the Conference to get back to productive work. In the First Committee, Canada tabled a resolution calling for negotiations within the Conference on Disarmament on a fissile material cut-off treaty. The adoption of that resolution by all but a handful of States signals strong international support for the negotiation of a multilateral and internationally and effectively verifiable treaty banning the production of fissile materials. Canada's Minister for Foreign Affairs reiterated the priority Canada attaches to early negotiation of such a Treaty in a speech to the Conference on Disarmament on 14 March. He also supported the establishment of a subsidiary body to deal with nuclear disarmament.

Step 5

15. At the fifty-ninth session of the General Assembly, Canada joined the consensus in support of the resolution entitled "Bilateral strategic arms reductions and the new strategic framework". Canada believes that codification, verifiability, transparency and irreversibility should apply to the reduction of nuclear arsenals and facilitates their elimination.

Step 6

16. Canada reiterated its call on nuclear-weapon States to securely reduce and dismantle their nuclear weapons arsenals in an irreversible and verifiable manner at the fifty-ninth session of the First Committee of the General Assembly. At that session, Canada voted in favour of the resolutions entitled "Accelerating the implementation of nuclear disarmament commitments" and "A path to the total elimination of nuclear weapons". Canada also called for a separate vote and voted in favour of paragraph 1 of the resolution entitled "Follow up to the advisory opinion of the International Court of Justice on the Legality of the Threat or Use of Nuclear Weapons", in order to support the unanimous conclusion of the International Court of Justice that there exists an obligation to pursue in good faith and bring to a conclusion negotiations leading to nuclear disarmament in all its aspects under strict and effective international control.

17. Canada supports the reduced salience of nuclear weapons and the significant reduction of the North Atlantic Treaty Organization's nuclear forces that has taken place since the end of the cold war. As a member of NATO, Canada continues to advocate that the Alliance play a positive role in advancing disarmament objectives through a continuous step-by-step approach. In 2004, Canada actively contributed, during NATO discussions, to the updated basic fact sheets, "NATO's Position Regarding Nuclear Non-proliferation, Arms Control and Disarmament and Related

Issues" and "NATO's Nuclear Forces in the New Security Environment", which represent a contribution to transparency by NATO in the Treaty on the Non-Proliferation of Nuclear Weapons context.

Step 9

18. Canada's support for further reductions of non-strategic nuclear weapons as an important step towards the elimination of nuclear weapons was expressed by our vote in favour of the resolution entitled "Accelerating the implementation of nuclear disarmament commitments" at the fifty-ninth session of the General Assembly.

19. Under the scope of the Global Partnership Against the Spread of Weapons and Materials of Mass Destruction, Canada will contribute up to Can $1 billion over the next ten years to non-proliferation, disarmament and counter-terrorism cooperation projects in Russia and certain other newly independent States of the former Soviet Union. On nuclear-related projects, Canada is contributing $32 million to the European Bank for Reconstruction and Development's Northern Dimension Environmental Partnership to safely and securely manage spent nuclear fuel (including highly enriched uranium) from submarines in Northern Russia. Canada is contributing $24.4 million to dismantle 3 decommissioned nuclear-powered submarines, an initial step in a $120 million programme that aims to dismantle a total of 12 nuclear-powered submarines over four years. In addition, Canada has contributed $4 million to the International Atomic Energy Agency's Nuclear Security Fund to strengthen nuclear and radiological security throughout the Commonwealth of Independent States. As well, Canada is contributing $18 million per year to the International Science and Technology Centre in Moscow to fund various research projects and other programmes and activities and thereby redirect former weapons scientists towards sustainable peaceful employment opportunities.

Step 10

20. For the disposition of fissile materials, under the Global Partnership programme, Canada has pledged $65 million towards Russia's plutonium disposition programme, which will dispose of material for thousands of nuclear weapons. On 30 March 2005, Canada's Foreign Minister signed a memorandum of understanding with the United States Secretary of Energy to assist with the permanent closure of one of the last operating weapons-grade plutonium production reactors in Russia. Under this memorandum of understanding, Canada will contribute $9 million (US$ 7 million) to the United States Department of Energy's elimination of weapons-grade plutonium Production programme.

Step 11

21. At the fifty-ninth session of the General Assembly, Canada tabled a resolution entitled "Verification in all its aspects, including the role of the United Nations in the field of verification", which was adopted by consensus. This resolution calls for the establishment of a panel of experts in 2006 that will report to the General Assembly at its sixty-first session. In the interests of general and complete disarmament, Canada is also a State party to the Biological and Toxin Weapons Convention, the Chemical Weapons Convention, the Ottawa Convention banning anti-personnel mines, the Treaty on Conventional Forces in Europe, the Treaty on Open Skies, the Treaty on Certain Conventional Weapons and the Outer Space

Treaty. Canada has provided financial support to mine clearance and related activities in over 25 States, as well as to small arms and light weapons disarmament, demobilization and reintegration, collection and destruction in Latin America and the Caribbean, Europe, Africa and Asia.

Step 12

22. Since the 2000 Review Conference, Canada has submitted three working papers on how to carry forward the reporting commitment, with a view to a decision at the 2005 Review Conference to make annual reports a permanent feature of Treaty implementation efforts. Canada commends the nuclear-weapon States for the information they have provided to date, and would encourage them to submit information about their efforts and activities as an official report.

Step 13

23. In early 2005, the Ministry of Foreign Affairs of Canada submitted a major study on weapons of mass destruction verification and compliance to the Weapons of Mass Destruction Commission, which has been published as part of the Commission's series of papers and studies and is available at www.wmdcommission.org.

Article VII

24. Canada continues to underline the need to preserve and respect the negative security assurances provided by nuclear-weapon States to non-nuclear-weapon States parties to the Treaty on the Non-Proliferation of Nuclear Weapons. While not itself a member of a nuclear-weapon-free zone, Canada welcomes and encourages progress to develop and implement nuclear-weapon-free zone agreements consistent with international law and internationally agreed criteria. At the fifty-ninth session of the General Assembly, Canada supported resolutions calling for the establishment or consolidation of nuclear-weapon-free zones.

Article VIII

25. The indefinite extension of the Treaty on the Non-Proliferation of Nuclear Weapons and accompanying decisions adopted in 1995 enshrined the concept of permanence with accountability. In accordance with the commitments arising from the Final Document of the 2000 Review Conference, Canada delivered at the third Preparatory Committee meeting of the 2005 review cycle its third report on its implementation of the Treaty. In addition, Canada presented another working paper proposing a number of ideas to carry the issue of reporting forward, building towards a decision at the 2005 Review Conference. With a view to reinforcing the authority and integrity of the Treaty, and ensuring the implementation of its obligations, Canada submitted to the third Preparatory Committee a working paper proposing ideas for overcoming the institutional deficit of the Treaty. Canada has encouraged States parties to explore these issues with the goal of a decision being reached at the 2005 Review Conference.

Article IX

26. Canada has consistently worked for the universalization of the Treaty on the Non-Proliferation of Nuclear Weapons. At the IAEA General Conference in September 2004, Canada reiterated its concern "that India, Israel and Pakistan continue to refuse to sign the Treaty as non-nuclear-weapons States. We urge them to do so unconditionally and without delay and to place their respective fuel cycles under the IAEA safeguards system". Canada views its position in this regard as conforming with Security Council resolution 1540 (2004) on the non-proliferation of weapons of mass destruction, which calls on all States to promote the universal adoption and full implementation of multilateral treaties whose aim is to prevent the proliferation of nuclear, biological and chemical weapons.

27. In 2004, at the fifty-ninth session of the General Assembly, Canada voted in favour of the resolution entitled "Risk of nuclear proliferation in the Middle East", which calls upon Israel to join the Treaty on the Non-Proliferation of Nuclear Weapons as a non-nuclear-weapon State. Canada explained its vote as follows: "Canada urges Israel, in the crucial months leading up to the 2005 Review Conference of the Treaty on the Non-Proliferation of Nuclear Weapons, to take the necessary first steps to adhering to the Treaty as a non-nuclear-weapon State. Canada further calls on all States in the Middle East region to comply fully with their Treaty obligations and, in this regard, urges all States in the region that have not yet done so, to sign and fully implement safeguards agreements with the IAEA." Canada views this vote as conforming to Security Council resolution 1540 (2004) on the non-proliferation of weapons of mass destruction, which calls on all States to promote the universal adoption and full implementation of multilateral treaties whose aim is to prevent the proliferation of nuclear, biological and chemical weapons.

Article X

28. Canada introduced a resolution on the Democratic People's Republic of Korea at the September 2004 IAEA General Conference, which was adopted by consensus and which sought to promote the resumption of that country's obligations under the Treaty on the Non-Proliferation of Nuclear Weapons, including the implementation of its comprehensive safeguards agreement. At the Conference on Disarmament on 14 March 2005, Canada's Foreign Minister said the Democratic People's Republic of Korea recent assertion that it now possesses nuclear weapons, together with its reluctance to re-engage in the Six Party Talks, underlines the grave risk to regional and international peace and security posed by that country's nuclear programme.

29. Canada welcomed the indefinite extension of the Treaty on the Non-Proliferation of Nuclear Weapons, adopted without a vote in 1995. Negative security assurances provided in 1995 by the five nuclear-weapon States parties to the Treaty in Security Council resolution 984 (1995) furnished part of the basis for this indefinite extension, as paragraph 8 of the "Principles and Objectives for Nuclear Non-Proliferation and Disarmament".

Article XI

N/A